

IN THE UNITED STATES FEDERAL DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI

UNITED STATES OF AMERICA]
(Fictitious Party)]
Plaintiff]
]
v.] Case No. 4:10-cr-00131-FJG-1
] (Cestui Que (Vie) Trust)
Denny-Ray: Hardin, sui juris]
(Real Party of Interest)]
Beneficiary]

MOTION FOR NON-B.A.R. ASSISTANCE OF COUNSEL

Comes Now,Denny-Ray: Hardin, sui juris, as an American National of the United States of America to reserve the 6th Amendment Right of “Counsel of Choice”.

I. JUDICIAL NOTICE OF CONSTITUTION AND LAWS,
FEDERAL RULES OF EVIDENCE 201.

Every court of this state shall take judicial notice of the Constitution, common law, and statutes of every state, territory or other jurisdiction of the United States. (Emp. Added)

II. MOTION FOR CONSTITUTIONAL COUNSEL

Comes Now, Denny-Ray: Hardin, by and through his Constitutional Counsel, Melinda-Sue: Harrington and Shirley-Jean: Oyer as “Counsel of Choice”. Herein after, Beneficiary waives no rights known or unknown, stated or unstated. Beneficiary herein submits this choice under his 6th Amendment Right to “Counsel” and refuses all B.A.R. Attorneys in this cause of action.

1. I, the Beneficiary, of Heaven, as such endowed by GOD with unalienable Rights, confirmed and guaranteed by the Constitution of the united States of America and claimed herein. We, Beneficiary and Council hereby notice this court that under any law of the United States of America which would perceive to be the unauthorized practice of law would be administrative in nature, therefore this court is on notice that under such law and notice the Judge is nothing more than an administrative hearing officer. As such the Judge only has qualified immunity, which means, violated our right to contract and Beneficiary’s right to council of choice as enumerated by our forefathers in the 1st, 6th, 7th, and 9th Amendments to the Constitution for the united States of America, The Beneficiary and Council will take lawful action.

2. Beneficiary and Council are enforcing all Beneficiary’s rights; among which is my right to counsel, counsel being my choice of a party to assist and counsel me in my defense, and to speak freely on my behalf, under my direction, and to act as my agent for the purposes of this action; appearing with me and speaking for me at my discretion, as a matter of my rights secured and protected by the Constitution for the united States of America. This counsel will be Melinda-Sue: Harrington and Shirley-Jean: Oyer, who will speak for me in all matters.

3. This right to counsel of choice is protected by the Constitution for the united States of America: specifically the First Article of the Bill of Rights; in the matter of freedom of speech, the right to assemble peaceably and the right to petition the Government for redress of grievance: also the Fifth Article of the Bill of Rights concerning due process of law: the Sixth Article of the

Bill of Rights, and also the Ninth Article of the Bill of Rights, concerning the vast area of rights held by the people as the ultimate sovereigns.

4. The meaning of the above words, is that no man shall be deprived of his property (rights) without being heard in his own defense. Kinney v. Beverly 2 Hen. & M (VA) 318, 336.

I, Denny-Ray: Hardin, in my exercise of the above freedoms and rights, will not waive my right to have counsel of choice, as a matter of due process.

5. The right to defend and to be heard in my own defense shall be limited in its exercise by statutes or by rules of the court; this by order of the Supreme law of the land: The Constitution for the united States of America. "Where rights secured by the Constitution are involved, there can be no rule-making or legislation which abrogate them." Miranda v. Arizona 384 U.S. 436.

6. "Laymen cannot be expected to know how to protect their rights when dealing with practiced and carefully adversaries" Gideon v. Wainright, 372 U.S. 335, "and for them to associate together to help one another to preserve and enforce rights granted them under federal laws cannot be condemned as a threat to legal ethics." Brotherhood of Railroad Trainmen v. Virginia ex rel. Virginia State Bar, 377 U.S. 1, 7.

7. I, the Beneficiary, claim my right to be heard under the law of the land, and by the modes and procedures of the common law, as a matter of the due process. That statutes which would deprive a citizen of the rights of person or property without a regular trial, according to the course and

usage of the common law, would not be the law of the land. *Hoke v. Henderson* 15 N.C. 15, 25 Am. Dec. 677.

I demand that the court not uphold any mode or follow any procedure which would abrogate the Constitution of Missouri and Constitution for the united States of America.

8. The Fifth article of the Bill of Rights of the Constitution for the united States provides:

“No person shall be deprived of life, liberty or property without due process of law.”

A similar provision exists in all State constitutions: the phrases “due course of law”, and the “law of the land” are sometimes used; but all three of these phrases have the same meaning and that implies conformity with the ancient and customary laws of the English people or laws indicated by Parliament.” *Davidson v. New Orleans*, 96 U.S. 97, 25 L. Ed. 616.

9. I, the Beneficiary, also demands that the court not uphold any unconstitutional applications of any statutes. “All laws which are repugnant to the Constitution are null and void.” Chief Justice Marshall, *Mayberry v. Madison* 5 U.S. (1 Cranch) 137, 174, 176. (1803) Upheld nearly 400 times in the ensuing nearly 20 decades (and never overturned, over ruled or reversed). “The duty of the court is to insure the Constitution is construed in favor of the citizen.” *Byars vs. U.S.* 273 U.S. 28. “The Court is to protect constitutionally secured rights.” *Boyd v U.S.* 116 U.S. 616.

10. I, the Beneficiary, have an unlimited right to appoint a representative to act on my behalf, and such act cannot be made into a crime by this court or by the legislature.” The claim and

exercise of a Constitutional right cannot be converted to a crime: *Miller v. U.S.* 230 F. 486 at 489.

11. I, the Beneficiary, require that the court apply no laws that would abrogate my rights, and that the court answer to its duty to guarantee to me, my due process of law in all proceedings. I contend on good authority (the Constitution and Supreme Court standing case law) that the legislature cannot violate my right to counsel of choice, as such act would be unconstitutional. Furthermore, the Missouri State Bar Association is nothing more than a private club and is not any form of state agency and does not speak for the state and does not act for the state and has no power to control the lives of private citizens. "It was held that a state may not pass statutes prohibiting the unauthorized practice of law or interfere with the right to freedom of speech secured in the first Amendment." *United Mine Workers v. Illinois Bar Association*, 389 U.S. 217.

12. In Closing:

Woe to those who decree unjust statutes and to those who continually record unjust decisions, to deprive the needy of justice and to rob the poor of their rights.

III. POINTS AND AUTHORITIES

1. As in the doctrine of the 9th Amendment, the fact that the 6th Amendment secures the right to counsel in all Criminal Matters, can not be construed to deny that right, to say nothing of the right to peaceably assemble, and to petition the Government, and to defend one's life, liberty and

property in the courts. Any rule of procedure, for the Court, is there precisely to guarantee due process of law to the private citizen as a matter of right.

2. What is a counsel? What is an attorney? The terms “attorney” and “Counsel” are common law terms.

“It has been held, and is undoubtedly the law, that where Common law phrases are used in an indictment or information such phrases must have common law interpretation.”

Chapman v. People, 39 Mich. 357-359; In re Richer (D.C.) 100 Fed. 295-297.

3. The meaning of the Common law terms is quite clear and the term “Assistance of Counsel” does not necessarily mean that “Counsel” will be a licensed attorney. Certainly a licensed attorney may be a counselor, but all counselors may not be licensed attorneys.

With Counsel being defined from Bouvier Dictionary, 3rd Ed: COUNSELLOR AT LAW, offices:

1. An officer in the supreme court of the United States, and in some other courts, who is employed by a party in a cause, to conduct the same on its trial on his behalf. He Differs from an attorney at law (q.v.) (emph. added)

2. In the supreme court of the United States, the two degrees of attorney and counsel are kept separate, and no person is permitted to practice both. It is the duty of the counsel to draft or review and correct the special pleadings, to manage the cause on trial and during the whole course of the suit, to apply established principle of law to exigencies of the case. 1 Kent, Com 307. (emph. added)

“Attorneys are responsible to their clients for negligence or unskillfulness; but no action lies against the counsel for his acts, if done bona fide for his client. In this respect therefore, the counsel stands in a different position from the attorney.” Swinfen v. Swinfen 1 C.B.N.S. 364, 403.

“English attorneys-at-law (called solicitors since the judicature act of 1873 took effect) were not members of the bar, and were not heard in the superior courts, and the power of admitting them to practice and striking them off the roll had not been given to the inns of the court. That part of the profession which is carried on by the attorneys is liberal and reputable, as well as useful to the public...., and they ought to be protected where they act to the best of their skill and knowledge. But every man is liable to error... A counsel may make mistake, as well as an attorney. Yet no one will say that a counsel who has been mistaken shall be charged with the debt. The counsel, indeed, is honorary in his advice, and does not demand a fee: The attorney may demand a compensation, but neither of them ought to be charged with the debt for a mistake. “Pitt v. Yalden, 4 Burr. 2060, 2061.

“An attorney-at-law... is one who is put in the place, stead or turn of another, to manage his matters of law.”

4. The intent of the founding fathers was pretty clear and it is also axiomatic in Law that it is the intent of the lawmakers that is law; not the interpretations of others.

“The intention of the lawmaker constitutes the law.” Stewart v. Kahn, 11 Wall. 78 U.S. 493, 504

“As the meaning of the lawmakers is the law, so the meaning of the contracting parties is the agreement.” *Whitney v. Wyman*, 11 Otto, 101 U.S.

5. It has been repeatedly upheld in the courts that:

“The framers of the statute are presumed to know and understand the meaning of the words used, and where the language used is clear and free from ambiguity, and not in conflict with other parts of the same act, the courts must assume the legislative intent to be what the plain meaning of the words used import.” *First National Bank vs. United States*, 38 F (2nd) 925 at 931 (March 3, 1930)

‘A legislative act is to be interpreted according to the intention of the legislature, apparent upon its face. Every technical rule, as to the construction or force of particular terms, must yield to the clear expression of the paramount will of the legislature.’ 2 Pet. 66 z “The intention of the legislature, when discovered, must prevail, any rule of construction declared by previous acts to the contrary notwithstanding.” 4 Dall 144 “The intention of the law maker constitutes the law.” *U.S. v. Freeman*, 3 HOW 565; *U.S. v. Babbit*, 1 Black 61; *Slater v. Cave* 3 Ohio State 80.

6. Then, what was the intent of the founding fathers? The founding fathers wrote the Constitution in plain simple language and used words that every one of the day could understand. The Constitution was written that way to insure all the people could understand its meaning, otherwise, there was no way the people would submit themselves to it. Hadn’t they just rid themselves of a tyrant King? Therefore, each word was chosen

very carefully and we need only understand the meaning of the words used in those days. In referring to the American Dictionary of the English Language, First Edition, Noah Webster, 1825, we find the following definitions:

“Counsel, n... which is probably from the Hebrew.... Those who give counsel in law; any counselor or advocate, or any number of counselors, barristers, or servants; as the plaintiff’s counsel, or the defendant’s counsel”... [American Dictionary of the English Language, First Edition, Noah Webster, 1825]

We all need to remember that many of the authors of the Constitution were members of the legal profession, and isn’t it interesting that Webster’s definition clearly omits any reference to “lawyer” or “attorney” as being counsel? Whatever “COUNSEL” is, counsel can represent both a plaintiff and a defendant.

The word advocate was defined as:

“ADVOCATE, n... To call for, to plead for,... In English and American courts, advocates are the same as counsel, or counselors....” [American Dictionary of the English Language, First Edition, Noah Webster, 1825]

The word Barrister was defined as:

“BARRISTER, n. (from bar) A counselor, learned in the laws, qualified and admitted to pleas at the bar, and to take upon him the defenses of the clients...”

[American Dictionary of the English Language, First Edition, Noah Webster, 1825]

In neither definition are there any references to “lawyers” or “Attorneys” nor is anything specifically mentioned about qualifications other than “learned in the laws” and “qualified”. Nothing is mentioned about being approved by the Supreme Court nor any other agency or entity.

The word attorney was defined as:

“ATTORNEY”,n. One who takes the turn or place of another... One who is appointed or admitted in the place of another, to manage his matters in law. The word formerly signified any person who did business for another:..The word answers to the procurator, (proctor) of the civilians...”

“Attorneys are not admitted to practice in courts, until examined, approved, licensed and sworn by direction of some court: after which they are proper officers of the court.”

All attorneys are foreign agents under 22 USC 611.

7. It is important to notice that an attorney could act “FOR” or “IN PLACE OF” an individual, whereas counselors were restricted to “PLEADING FOR” and “GIVING” OF “ADVICE AND COUNSEL” in the presense of the Plaintiff or client. Counselors had no authority to “ACT FOR” or “IN PLACE OF” any client.

8. In those days it was common place to handle one's own case, thereby, acting in Proper Party on one's own behalf in court. However the court room is an awesome and lonely place when everyone else in the room is a member of the court. Whenever desired, the plaintiff or the defendant could have a friend in the court—a counselor. A friendly person who could, and would “SPEAK FOR HIM” or “ADVISE HIM” in court proceedings and matters of law.

9. Counselors were persons who took pride in their knowledge of the law and used it to the good of the people. They are advisers of the people and, as such, may or may not have been able to collect fee for their services. Under the Common Law, they could charge for their services but could not use the force of law to collect a fee.

10. Attorneys, on the other hand, were agents of the court, an “officer of the court”, who could be “appointed or admitted in place of another to manage his matters in law.” ‘Attorneys were schooled in the law, “examined, approved, licensed and sworn, by the direction of some courts.” As such, they could charge for their services and demand payment under force of law.

11. Without doubt, the founding fathers knew well the meaning of the word “counsel”, and they used that word so the people would be “FREE” to choose counsel of their choice, who may or may not be an attorney. It has only been the rulings of the monopolistic American jurisprudence system that has continuously denied individuals the “RIGHT” of “ASSISTANCE OF COUNSEL” in courts of America.

12. It has long been recognized under the Common Law that attorneys were different from “Counselors”.

13. The Supreme Court of the United States recognizes that there were separate functions and responsibilities for “attorneys” and “counselors” as the two different rolls were maintained by the court.

“His name should be taken from the roll of attorneys, and placed on the list of counselors.” *Ex Parte Hallowell*, 3 Dal. 411, Feb. 1799

14. The usage of these words clearly separate functions and responsibilities of attorneys from counselors.

“Under both our Federal and State Constitutions, a defendant has the right to defend in person or by COUNSEL of his own choosing.” *People v. Price*. 262 N.Y. 410, 412, 187 N.E. 298, 299.

“This fundamental right is denied to a defendant unless he gets reasonable time and a fair opportunity to secure counsel of his own choice and with that counsel’s assistance to prepare for trial.” *People v. Mc Laughlin*, 53 N.E. 2d Series 356, 357.

“Justice requires that a party should be permitted to conduct his cause in person (subject to reasonable requirements of propriety), or by any agent of good character, and that the test of the agent’s character should not be so rigorously applied as to imperil the constitutional right to a fair trial.” *Concord Mfg. v. Ropbertson ante*. pp. 1,6,7.

“ It is the responsibility of the court indulge every reasonable presumption against the waiver of fundamental rights: Aetna Ins. Co. v. Kennedy 301 U.S. 389

The trial court must protect the right of the defendant to have the assistance of counsel.

“This protecting duty imposes the serious and weighty responsibility upon the trial judge of determining whether there is an intelligent and competent waiver by the Plaintiff. While an Plaintiff may waive the right to counsel, whether there is a proper waiver should be fitting and appropriate for that determination to appear upon the record.” Johnson v. Zerbst 304 U.S. 458, 465.

15. The constitutional right of Assistance of Counsel is not qualified to only someone who has received a license from some supreme court or other alledged authority.

16. Since the United States Constitution was ordained and established by the people for their protection, not for the protection of a legal society, and since it may not be superseded or amended by any act of Congress or by any other “law” of this or any other state, this defendant demands the right to exercise such rights, and will choose either Counsel or Co-Counsel, or both to help me in my case. When the Constitution was written and ratified, the BAR Associations did not exist. Therefore, it is simply an absurdity to conclude that the Constitution ever contemplated that only BAR licensed Attorneys could appear as counsel for a defendant. In all criminal prosecutions, the defendant shall enjoy the right... to have the “ASSISTANCE OF COUNSEL” for his defense. 6th Amendment to the U.S. Constitution.

17. The language of the Sixth Amendment quoted above is very clear, unambiguous, and is very precise, and the men who were responsible for its form, very learned and skilled in the law, and in fact, many were attorneys. Therefore, the conspicuous lack of the words “attorney” or “attorney at law” is notable indeed!

“While the Bill of Rights was being debated and argued, the same members of Congress were in the process of passing the First Judiciary Act of September 24, 1789. The very same day the President signed this bill, the House and Senate were finally coming to an agreement on the express and explicit language and form of the Bill of Rights. Therefore, their meanings are to be compatible.” *William v. Florida* 399 US 78, 90 S. Ct. 1895, 1904.

18. Therefore, it is absolutely clear that the explicit language and form of the First Judiciary Act of 1789 were and are the meaning of the Sixth Amendment. The First Judiciary Act states in part: Sec. 35.

“ And be it further enacted. That in all the courts in the United States, the parties may plead and manage their own causes personally OR by the assistance of such counsel OR attorneys at law as by the rules of the said courts respectfully shall be permitted to manage and conduct causes therein.” First Congress, Session 1, chapter 20, Page 20. 1 Stat. at L. (p.92)

Also Section 30, page 89 also refers to counsel as:

“...not being of counsel or attorney to either of the parties...”

19. It is notable that this statute does not mention only criminal matters, but simply states “all court”.

20. It is the individual who has the absolute Constitutional Right to “ASSISTANCE OF COUNSEL” under the Sixth Amendment. It is the “Will of the private Citizen” who reign supreme—not the BAR ASSOCIATIONS. Numerous court cases support the individual’s right to counsel. Some are:

“The fundamental right of the Plaintiff to representation by counsel must not be denied or unreasonably restricted: Poindexter v. State, 191 S.W. 2d 445.

“While the Constitution guarantees to a defendant in a criminal case, the right to be heard by counsel, it also allows him to be heard by himself and where he elects to appear for himself rather than by an attorney, he cannot be compelled to employ counsel, or to accept services assigned by the court.” People v. Shapiro 188 Misc. 363

“The right of counsel is not formal but substantial.” Snell v. U.S. 174 F. 2d 580.

21. I, the Beneficiary, claims and demands that the “RIGHT” to “ASSISTANCE OF COUNSEL” is a imperative, necessary, essential, as any other right to “life, liberty and the Pursuit of Happiness”. It is a preresiquite to a proper defense of my life, liberty and property that has been endangered by the unlawful apprehension and restraint of myself. The “RIGHT” to “ASSISTANCE OF COUNSEL” may not be limited in any condition because.....

‘It is one of the fundamental rights of life and liberty.’ Robinson v. Johnson (DC-CAL)
50 F. Supp 774

“The right to effective “Assistance of Counsel” in a criminal proceeding guaranteed by this amendment is a basic and fundamental right secured to every person by the Due Process Clause of the Fourteenth Amendment.” Armine v. Times (CCA 10) 131 f 2D 827.

I, the Beneficiary, Denny-Ray:Hardin am an “American National” and claim my Due process of law under the Fifth Amendment. I am not a Fourteenth Amendment United States Citizen subject to the descretionary power of the BAR Association Members.

22. The Beneficiary has the “RIGHT” to counsel and because of the above authorities he intends to have “Assistance of Counsel” of his choice. In as much as this right was once well known and understood to be the “RIGHT” of the people as defined in the “Will of the Sovereign People’s Constitution, I , the Beneficiary, here and now assert my “RIGHT” and take it back. No governmental entity was ever properly given power or authority by the “Will of the Sovereign People,” to take such a “RIGHT” AWAY. “If the state should deprive a person the benefit of counsel, it would not be due process of law.” Powell v. Alabama, 287 U.S. 45, 70.

23. The definition of the word “Code” one can see that statutes are regulatory law. Bouvier’s Law Dictionary, 1914.

“A body of law established by the legislative authority of the state, and designed to regulate completely, so far as a statutue may, the subject to which it regulates.”

I contend that “attorneys and counselors at law”, and those that follow the profession of “practicing law”. And those who charge a fee for their services, as lawyers and attorneys are the only persons who are regulated by code. Also it should be noted that those persons defined in the Code come into the court as a matter of their own interest, for they receive a reward for this occupation.

24. I, the Beneficiary, am simply asserting my right to defend, and that this involves appointing an agent or agents to accompany me and if necessary, to speak also at my direction. Therefore let the court note that these American Nationals acting as agents for the Beneficiary comes into court at my request and at my direction, in my interest, and not of their own interest or hope of pecuniary gain. In this regard, they are counsel, in fundamental constitutional sense and lack those characteristics of attorneys or lawyers and cannot be said in any language, to be “practicing law” or “holding themselves out for hire”, or as “qualified to carry on the calling of a lawyer”.

25. It is Beneficiary who assesses their qualifications: I who calls them into court; it is my interest they hold in regard and seek to assist in protecting. I will appeal any coercive or threatening attempts to hinder the effectiveness of my counsel, or their presence in these proceedings, which acts will violate due process of law as secured to me by the Constitution for the united States of America, the supreme law of the land.

26. The statutes also show what an attorney is by definition in that he collects a fee, or makes a charge, and he practices law. The intent of the law-makers is clear- they are regulating the

profession of the practice of law, which attorneys and lawyers carry on. Let the court note that the Beneficiary is not bringing a lawyer into court, to practice law, but someone whom he trusts to know the law, not practice it.

27. Further, this court cannot act in the Beneficiary's behalf and seek to exercise their conscience for me, or my choice, by directing me to bring only a certain class of persons into the court to counsel me. This in itself is a violation of my free exercise of my right to seek the assistance of counsel, and to enjoy counsel of choice. There may not be a lawyer in the land who can comprehend, act in, sympathize with, or research, this defense. No, the court cannot assume this responsibility, but must assume a role as impartial referee of the proceedings, in this regard, and allow me, the Beneficiary, to make my own defense; of, by and for myself with counsel of my own choosing.

28. No statute or code can work to violate the common law rights of the American National. Statute: This word is used to designate the written law in contradistinction to the unwritten law. Bouvier's.

29. The unwritten law, of course, is common law, which is that system of law guaranteed to the private Citizen by the due process clauses of the Constitution for the United States of America.

"The adoption of the 14th Amendment completed the circle of protection against violations of the provisions of the Magna Carta, which guaranteed to the private Citizen their life, liberty and property against interference except by the Law of the Land, which

phrase was coupled in the petition of right with due process of law. The latter phrase was then used for the first time, but the two are generally treated as meaning the same. This security is provided as against the United States by the 4th and 5th Amendments and against the States by the 14th Amendment”. Davidson v. New Orleans 96 U.S. 97

As an American National, I hereby claim all rights, all privileges and all immunities of the Constitution for the united States of America.

30. As cited above, the meaning of the due process clause is that the common law shall be the inalienable right of every American National, nor can be removed from them by mere statutes, rules, Codes or regulations. No new system of law can be forced upon us. I have the right to live under the protection of the Constitution; it is my birthright.

31. In spite of possible encroachments by the legislature, and in spite of private interests, which would restrict the exercise of a right, the fundamental law arises above all private concerns, such as that of the legal professions which are interested in protecting their monopoly with the aid of the authority of the bench. The Constitution is worthy of the court's full devotion, and the office of a judge should not be used to further the extensive conspiracy which received this denunciation from a private citizen.

IV. AFFIRMATION

I declare under penalty of perjury under the laws of the Republic (but not “State of” as defined in from without the “United States” defined in 28 U.S.C. 1603(c) and 26 U.S.C. 7701 (a)(10) and

only when litigated under the following conditions that the foregoing facts, exhibits and statements made by me are true, correct and complete to the best of my knowledge and ability in accordance with 28 U.S.C. 1746(1).

1. Trial by jury of Peers. As an "American National", no "UNITED STATES CITIZEN" is my "Peer" and cannot sit on the "Jury". The Jury must be made up of "American Nationals".

2. Before this case can go to trial, Personal, Territorial and Subject-Matter Jurisdiction must be established by Brian Casey, on the "RECORD". To proceed without "Jurisdiction" will be viewed as an "Act of Treason".

3. Because Robert E. Larsen and Fernando J. Gaitan Jr. will be called as witnesses in this case for personal acts, An unbiased and unprejudicial Judge with the "Oath of Office" required by 28 U.S.C. 453 is requested. Under the 13th Amendment, this judge cannot be a member of any "B.A.R." Association or hold any title of nobility prohibited by Article 1, Section 10 of the Constitution for the united States of America. Therefore, the judge can not be a "B.A.R." Attorney.

4. Under UCC Regulations all Contracts, law, Bonds and documents must be "Original", "Copies" are hereby challenged as "Forgery" and not admissible in any court. All "Bonded Promissory Notes" must be "Original" and all "Copies" will be deemed "Counterfeit", no copies are authorized under "Copy Right Laws".

5. All Witnesses to be called by Brian Casey, must produce a "Complaint" signed under the penalty of perjury establishing they are an "injured party" of this cause of action. Only "Principals" can testify, no "agents" can speak for a "Principal", "Corporation" or "Government".

6. All Witnesses to be called by Brian Casey must have the "General Ledger Sheets" to lawfully establish a "debt" is owed and the right to collect that debt. Only a "General Ledger Sheet" can lawfully establish an "account" is in default and subject to collection. Any attempt to establish a "debt" is owed without a "General Ledger Sheet" will constitute "Fraud" 18 U.S.C. 1001.

Non-acceptance of this affirmation or refusal to admit all evidence of this pleading into the record by the court shall constitute withdrawal of consent to make a general appearance or submit myself to the jurisdiction of this foreign court and Foreign state. This affirmation is an extension of my right to contract guaranteed under Article 1, Section 10 of the Constitution for the united States of America and may not be interfered with by any court of the United States.



Denny-Ray: Hardin, sui juris
All rights reserved UCC 1-308
Formally UCC 1-207

IN THE UNITED STATES FEDERAL DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI

UNITED STATES OF AMERICA]
(Fictitious Party)]
Plaintiff]
]
v.] Case No. 4:10-cr-00131-FJG-1
] (Cestui Que (Vie) Trust)
Denny-Ray: Hardin, sui juris]
(Real Party of Interest)]
Beneficiary]

Certificate of Service

I Denny-Ray: Hardin do hereby certify that a copy of the attached Motion1) MOTION FOR NON-BAR ASSISTANCE OF COUNSEL was mailed by certified mail on this 1st day of June 2011 to the following:

Brian Patrick Casey
United States Attorney's Office
400 E. 9th St., 5th Floor
Kansas City, MO 64106
Certified Mailing # 7009 0960 0000 9901 2857



Denny-Ray: Hardin, sui juris
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